



A30571-A-PCT-USA-A (070165.0582)
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Bot *et al.*
Serial No. : 09/801,540 Examiner : Woitach, J.
Filed : March 8, 2001 Group Art Unit: 1632
For : IMMUNIZATION OF INFANTS

TERMINAL DISCLAIMER

I hereby certify that this paper is being deposited on April 2, 2004 with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

Carmella L. Stephens

Attorney Name

41,328

PTO Registration No.

Carmella L. Stephens
Signature

April 2, 2004

Date of Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Assignee, The Mount Sinai School of Medicine of New York University, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term, defined in 35 U.S.C. §§ 154-156 and 173, as presently shortened by any terminal disclaimer, of commonly owned prior U.S. Patent No. 6,204,250, which issued on March 20, 2001 from U.S. Patent Application Serial No. 08/755,034, filed on November 22, 1996.

The Assignee hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and U.S. Patent No. 6,204,250 are commonly owned. The Assignee further agrees that this agreement is to run with any patent

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granted on the above-identified application and is to be binding upon the grantee, its successors, and assigns.

In making the above disclaimer, the Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154-156 and 173 of U.S. Patent No. 6,204,250 in the event that U.S. Patent No. 6,204,250: (i) expires for failure to pay a maintenance fee; (ii) is held unenforceable; (iii) is found invalid by a court of competent jurisdiction; (iv) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; (v) has all claims canceled by a reexamination certificate; (vi) is reissued; or (vii) is in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

The undersigned attorney of record hereby confirms that she is empowered to act on behalf of the Assignee.

Respectfully submitted,

BAKER BOTTS L.L.P.

A handwritten signature in black ink, appearing to read "Lisa B. Kole", is written over a horizontal line.

Lisa B. Kole

PTO Registration No. 35,225

Carmella L. Stephens

PTO Registration No. 41,328

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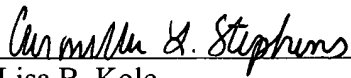
Sir:

Pursuant to 37 C.F.R. §§ 1.321(a) and 1.20(d), the fee for processing the attached Terminal Disclaimer for a small entity is believed to be \$55.00. A check in the amount of \$55.00 is enclosed. The Commissioner is hereby authorized to charge payment of any additional filing fees associated

with this communication or credit any overpayment to Deposit Account No. 02-4377. Two copies of this communication are enclosed.

Respectfully submitted,

BAKER BOTTS L.L.P.



Lisa B. Kole.
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